

REMARKS/ARGUMENTS

In response to the Office Action mailed October 10, 2008, Applicants amend their application and request reconsideration. No claims are cancelled in this Amendment and new claims 15-27 are added so that claims 1-27 are now pending.

In the Office Action, claims 4 and 6-14 were stated to be allowable if rewritten in independent form. Claim 4 has been rewritten essentially in independent form and is presented as new claim 15. Claim 15 is almost a combination of examined claims 1 and 4, whereas claim 4 depended from claim 2, not from claim 1. However, because of the nature of claim 2, its limitation is essentially incorporated into the new claim 15. New claim 16 includes the limitation of examined claim 5, but depends from claim 15, not claim 1. In view of the concession of allowability, claims 15-23 should be immediately allowed.

New claims 24 and 25 are examined claims 13 and 14 rewritten in independent form, respectively. Minor amendments in certain words are made in order to make the claims more similar in form. However, because there is no substantive amendment, those claims 24 and 25 should be allowed.

New claim 26 incorporates nearly all of the limitations of examined claim 1 and further describes the areas of contact between the side part as having, in radial cross-section, a convex profile, as originally recited in examined claim 5. New claim 27 includes many of the limitations of examined claim 1 and further specifies that the side part has, in radial section, a convex profile. Both of claims 26 and 27 describe the pin-point contact between the side part and the rail.

The invention is directed to an apparatus for guiding a vehicle along a guiding rail. The system includes, as shown in the embodiment of Figure 1, treaded wheels or tires that are driven and that roll on a roadway. Guiding of the vehicle that includes the tires 12 and, potentially, other tires, is achieved using a contact roller shown as located at the end of an arm 4 and that rolls along a rail 2. The roller device 1 that is

guided along the rail is not the motive force for moving the vehicle but rather provides guidance for the direction of movement of the vehicle.

Although many embodiments of the invention are illustrated in the figures of the patent application, an important common feature is the arrangement of the side contact surfaces 51 and 52 of the rollers 25 and 26. As explained in the patent application, for example, with respect to Figure 2, the surfaces 51 and 52 of the rollers and the side surfaces 46 and 47 of the guiding rail 2 are in pin-point contact. Therefore, the contact is nearly frictionless. An example of the pin-point contact is indicated by reference number 54 in Figure 2 of the patent application.

Examined claims 1-3 and 5 were rejected as anticipated by Jensen (U.S. Patent 6,523,480). This rejection is respectfully traversed.

Jensen is related to a vehicle that can provide transportation in two different modes. In one of those modes, the Jensen vehicle simply travels on a highway 10. In that instance, pairs of tires 8 and 14 are in contact with the roadway and functional in the conventional way. In the other mode of transportation, the Jensen vehicle can travel on a monorail that includes a rail having a triangular cross-section. To achieve this mode of transportation, the Jensen vehicle includes driving tires 13a and 13b which bear against a vertical driving rail that projects upwardly from the apex of the triangular guiderail.

The motive force for driving the Jensen vehicle is applied by the tires 13a and 13b. In that arrangement, the tires 14 are in contact with substantially horizontal support rails 15 that project from the base of the triangular guiderail. The driving tires 18 that are employed to move the vehicle on a roadway are not, in this mode of transportation, used for any driving purpose. In any event, it is apparent that the tires employed all include treads because they must operate by friction in transferring motive force from some prime mover to the driving wheels 13a and 13b, 14, and 8, depending upon the particular mode of movement of the Jensen vehicle.

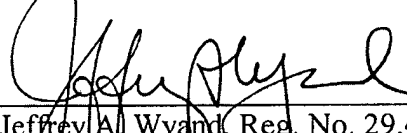
There is clearly a fundamental difference between the interaction of the guiding roller device and its rolling part according to the invention as to the tires employed by

Jensen. In the invention, the rolling part is arranged to provide an essentially frictionless contact with the rail because the rolling part provides only guidance, i.e., steering, not movement, of the vehicle to which it is attached. By contrast, friction between the driving tires of Jensen and the rail is critical to the movement of the vehicle. It is for that reason that Jensen shows tires, not merely wheels, and tires with treads, just like the tires 12 on the vehicle as indicated in Figure 1 of the present patent application. This difference is made clear in the pending claims by explaining that the side part of the guiding roller has, in a radial section, a convex profile, and that the side part is in pin-point contact with the rail. The pin-point contact could not provide the friction required for driving of a vehicle with respect to a rail. In Jensen, there are no rollers for steering. In Jensen there are tires that contact various parts of the rail, but never in pin-point contact. If there were only pin-point contact in Jensen, as in the claimed invention, there would be insufficient friction to move the Jensen vehicle along the rail. This fact is confirmed by the employment of treaded tires as shown and described in Jensen. The use of such tires, as well known to anyone of ordinary skill in the art, is to achieve the application of pressure against the rail over a sufficiently large area to achieve the desired friction and movement. That increased and sufficient area cannot be achieved in the invention by pressing the roller against the rail at a pin-point contact.

In order for Jensen to anticipate any pending claim, Jensen would have to describe the convex profile, in radial section, of the contact between the wheel and rail described in many claims. Jensen would also have to describe the pin-point wheel contact that is described in all claims. However, as described in the foregoing paragraphs, the disclosure of Jensen is antithetical to such minimal contact between the rail and the guiding roller. Jensen requires driving force strength friction between the wheel and rail. Accordingly, there can be no anticipation of any pending claim by

Jensen and, upon reconsideration, the rejection should be withdrawn and all claims now pending, claims 1-27, should be allowed.

Respectfully submitted,



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